

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**SONNY JORDAN LIMPY,**

**Petitioner,**

**v.**

**JUSTIN JONES, Director,**

**Respondents.**

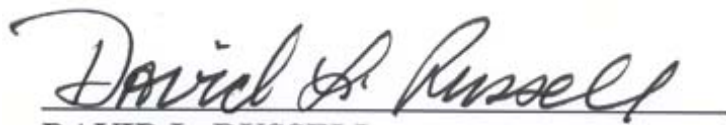
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**Case No. CIV-10-1221-R**

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Valerie K. Couch entered March 30, 2011 [Doc. No. 15]. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety; Respondent's motion to dismiss [Doc. No. 9 & 10] is DENIED and this case is STAYED, conditioned upon Petitioner's pursuit of his state post-conviction proceeding by seeking a state court appeal out of time within thirty (30) days of the date of this Order. Petitioner is ORDERED to file in this Court a copy of his application for post-conviction relief requesting an appeal out of time, bearing a file-stamp showing the date such application was filed in the District Court of Oklahoma County, State of Oklahoma. Provided Petitioner complies with these conditions, this case shall be stayed until 30 days after Petitioner has fully exhausted his state court remedies.

IT IS SO ORDERED this 27<sup>th</sup> day of April 2011.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**